



# City of Seattle

---

Gregory J. Nickels, Mayor  
Department of Planning & Development  
D. M. Sugimura, Director

## **CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2308369 and 2404583

**Applicant Name:** Dave Fletcher

**Address of Proposal:** 514 Prospect Street and 1107 Taylor Avenue North

### **SUMMARY OF PROPOSED ACTION**

2308369: Master Use Permit to construct one 2-unit townhouse structure with attached garages and 1 single family residence in an environmentally critical area. Project includes an environmental review to construct two 2-unit townhouses with attached garages at 1107 Taylor Avenue North under project No. 2404583. Existing apartment building to be removed.

2404583: Master Use Permit to construct two 2-unit townhouses with attached garages in an environmentally critical area. Project includes an environmental review to construct one 2-unit townhouse structure with attached garages and 1 single family residence at 514 Prospect Street under Project No. 2308369. Existing apartment buildings to be removed.

The following Master Use Permit component is required:

### **SEPA - Environmental Determination - (SMC Chapter 25.05)**

#### **SEPA DETERMINATION:**

☐ Exempt      ☒ DNS      ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

Early Notice DNS was published 1 July 2004

## **BACKGROUND DATA**

### *Site Location, Description and Area Development*

The subject property is located on Queen Anne Hill, between 5<sup>th</sup> and Taylor Avenues North and Prospect Street and Highland Drive. The entire vicinity is zoned L3. A small area in the NE corner of the site is designated as a steep slope critical area (>40% slope). There are existing multifamily structures on the site – a fourplex and a triplex. Development of the surrounding properties is predominately a mix of small to medium multifamily apartment buildings. A limited number of single family residences still remain.

### Proposal

The applicant proposes to construct one 2-unit townhouse and a single family residence facing Prospect, and a 2-unit townhouse facing Taylor Avenue North, behind which would be another 2-unit townhouse. A total of seven units are proposed on the two sites. All access would be taken from two driveways 30-feet apart on Prospect, except that access to the Taylor-fronting 2-units would be from Taylor. Project includes the demolition of the two existing multifamily structures and grading of approximately 1800 cubic yards of material.

### Public Comment

None.

## **ANALYSIS - SEPA**

The applicant submitted an Environmental Checklist dated 20 May 2004 and a Geotechnical Engineering Report dated 11 February 2004 (Dodds Geosciences Inc.). The information provided in the checklist and report, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part: "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Section 25.05.908B of the Seattle Municipal Code states that the scope of the environmental review actions within environmentally critical areas is limited to the following:

1. Documenting whether the proposal is consistent with the City of Seattle regulations for Environmentally Critical Areas, SMC Chapter 25.09 and
2. Evaluating potentially significant impacts of the environmentally critical area resources not adequately addressed in the City of Seattle Environmentally Critical Areas, including any additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

#### Short-term Impacts

The following short-term temporary or construction-related impact on the identified critical area is expected: 1) temporary soil erosion. The impact is limited in scope and is temporary in nature. Pursuant to SMC 25.05.794, it is not significant; however, further discussion is warranted.

Several adopted codes and/or ordinances provide mitigation for the temporary soil erosion impact. The Stormwater, Grading, and Drainage Control Code regulates site excavation for foundation purposes and requires soil erosion control techniques be initiated for the duration of construction. The ECA ordinance regulates development and construction techniques in designated ECA areas with identified geologic hazards. The Building Code provides for construction measures and life safety issues. These codes and ordinances provide for extensive review and conditioning of the project prior to issuance of building permits, therefore no further conditioning is warranted pursuant to SEPA policies.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted

#### Earth/Soils

Grading of approximately 1800 cubic yards of material is proposed. The construction plans, including shoring of excavations where needed and erosion control techniques are being reviewed by a DPD Geotechnical Engineer and Building Plans Examiner for compliance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Ordinance, and Director's Rules 3-93 and 3-94). These codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to ensure safe construction techniques are used to reduce or eliminate the identified short term impact, therefore no additional conditioning pursuant to SEPA policies is warranted.

#### Long Term Impacts

Potential long-term impacts that may occur as a result of this project are: 1) increased surface water runoff due to greater site coverage by impervious surface, and 2) loss of plant and animal habitat.

### Drainage

The proposed development is expected to have extensive impervious surface lot coverage from the townhouse structures and the access drives. However, the ECA Ordinance and the Stormwater, Grading and Drainage Control Code provide for extensive review and adequate conditioning of the project prior to issuance of building permits. Therefore, no conditioning for storm water impacts is warranted pursuant to SEPA.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030.(2)(C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

### **CONDITIONS**

None required.

Signature: (signature on file) Date: January 13, 2005  
Paul Janos, Land Use Planner